

EXHIBIT L

Troutman Pepper Hamilton Sanders LLP
Troutman Pepper Building, 1001 Haxall Point
Richmond, VA 23219

troutman.com



Alan D. Wingfield
alan.wingfield@troutman.com

January 6, 2021

BY E-MAIL

Rob McFarland
McGuireWoods LLP
World Trade Center
101 West Main Street
Suite 9000
Norfolk, VA 23510

Re: CSX Transportation, Inc., et al v. Norfolk Southern Railway Company, et al
Civil Action No.: 2:18-cv-00530

Dear Rob:

I am writing to propose a comprehensive resolution to the current discovery disputes. We think this resolution is a reasonable way to proceed.

1. Depositions of Mike McClellan, Chris Luebbers, Michael Burns and Steven Armbrust.

We disagree with the assertions in your letter of December 23, 2020, but rather than debating them, we want to seek a reasonable resolution. CSXT would be afforded an opportunity to re-depose Mr. McClellan and Mr. Luebbers solely on the recently produced documents with the understanding, based on your statements, that the depositions only need to be brief.

Likewise, as set forth in my letter of December 22, 2020, NSR would be afforded an opportunity to re-depose Mr. Burns and Mr. Armbrust solely on the board member manual and portal documents that NSR has requested.

Neither party would pay the other's attorneys' fees or costs associated with these depositions.

2. Written discovery / Rule 30(b)(6) objections.

NSR is willing to withdraw its First Requests for Admission and Third Interrogatories in exchange for CSXT's confirmation that its corporate witness designee, Mr. Girardot, will be prepared to testify on Topics Nos. 41-45 and 47-51 of NSR's Rule 30(b)(6) Notice of Deposition to CSXT, which cover the discovery being withdrawn by NSR.

Rob McFarland
January 6, 2021
Page 2



Please let me know at your earliest convenience as to whether CSXT agrees to this proposal.

Sincerely,

A handwritten signature in blue ink that reads "Alan D. Wingfield".

Alan D. Wingfield

cc: Counsel of record (by email)